

REMARKS

Reconsideration and allowance of the above-identified application are respectfully requested. Claims 6-10 remain pending, wherein claims 6 and 7 have been amended. The specification has been amended to correct a typographical error.

In the second paragraph of the Office Action claims 6-10 are rejected under 35 U.S.C. § 112, first paragraph for failing to comply with the written description requirement. This ground of rejection is respectfully traversed.

Claims 6 and 7 have been amended to address these issues. Specifically, claim 6 has been amended as follows:

outputting, during a period of time when there is an absence of an input optical signal from said one node, a second electrical signal as an error signal when said value of said first electrical signal is less than a predetermined value ~~during a period of time when there is an absence of an input optical signal from said one node.~~

Claim 7 has been amended as follows:

outputting, during a time when there is an absence of input optical signals, an error signal when said value is less than said base value ~~during a time when there is an absence of input optical signals.~~

The present application, at page 3, lines 17-22, describes detection of degradation of optical signal quality by the transmit/receive module, and then reporting of the detected error “[d]uring a low level at the optical data input of the module”. Accordingly, the present application clearly describes that the error signal is output during a time when there is an absence of an input optical signal from the one node, i.e., during a low level at the optical data input of the module.

For at least those reasons set forth above, withdrawal of the rejection of claims 6-10 under 35 U.S.C. § 112, first paragraph is respectfully requested.

Claims 6 and 7 continue to be rejected under 35 U.S.C. §102 as anticipated by O’Sullivan (U.S. Patent No.: 5,859,716); claims 6-10 are rejected as anticipated by Bogdan (U.S. Patent No.: 5,617,238); claim 6 is rejected as anticipated by Asahina (U.S. Patent No.: 6,259,704); claims 6-8 are rejected as anticipated by Miyamori (U.S. Patent No.: 6,025,946); claims 6-10 are rejected as anticipated by Neff (U.S. Patent No.: 5,541,759); and claims 8-10 are rejected as obvious in view of the combination of O’Sullivan (U.S. Patent No.: 5,418,785) and Olshansky (U.S. Patent No.: 5,418,785) or Ault (U.S. Patent No.: 4,731,880). These grounds of rejection are respectfully traversed.

It appears that the amendments to the claims filed June 23, 2004 were not considered because they were allegedly not supported by the written description. As discussed above, however, amended claims 6 and 7 are clearly supported by

the application as filed. Moreover, Applicants' arguments in the Reply filed June 23, 2004 are equally applicable to the currently amended form of claim 6 and 7. As previously discussed, the patents cited to reject claims 6 and 7 either alone or in combination do not disclose or suggest generation of an error signal during the time when there is an absence of an input signal from a node. Accordingly, the cited patents cannot render Applicants' claims 6 and 7 unpatentable.

Claims 8-10 are patentably distinguishable over the current grounds of rejection at least by virtue of their dependency from claims 6 or 7.

For at least those reasons set forth above, withdrawal of the anticipation and obviousness rejections of claims 6-10 are respectfully requested.

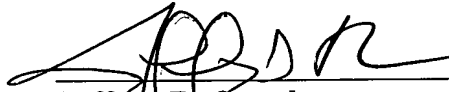
If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

erial No. 09/623,895
Amendment Dated: August 18, 2006
Reply to Office Action Mailed: December 28, 2004
Attorney Docket No. 080437.49163US

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #080437.49163).

Respectfully submitted,

August 18, 2006



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